

They no longer put pride into the watch or car that they help create, the way they used to. They no longer appreciate the privilege of voting, or bother to exercise it.

They don't even show respect to other people. As President Jimmy Carter said, "America is suffering from a sickness of spirit." All my grandfather does now is complain about how the country is going downhill, and how the poverty level is out of control. He's a good man, but he is one of America's problems, along with the 250 million other Americans who love to complain but do nothing to solve the problems they complain about. As Edmund Burke said, "The only thing necessary for the triumph of evil is for good men to do nothing." It is time for each and every one of us to start answering America's call.

The answer is as simple as respect, generosity, and pride. Each one of us has the heart to volunteer some of our time to helping someone else. I don't mean something as monumental as taking someone in to live in our homes, or even giving them money. Let's start small, but let's start now. I mean, let's say hello to people on the street. I know how good a hello makes me feel. Let's look around and notice each other, let's respect our fellow Americans for who they are and let's accept our differences. Let's enjoy each other. Let's celebrate our diversity.

And let's do things right the first time instead of letting the next person do them. Let's take pride in ourselves, our fellow Americans, and all the men and women who fought so that we could have what we do today: the freedom to choose. America is still the land of opportunity, and we are still entitled to pursue our own happiness. Let's not take what we have for granted by only doing what we have to do. We can help every American learn to respect the country we call home enough to assume a fair share of responsibility for her well-being. When each of us answers America's call, we ensure not only our own freedom, but the continued freedom of generations to come. Let us do all that is necessary now, so that one day when my curious grandson feels like browsing through a cedar chest in his family's basement, he won't need to question what has happened. He will be free to experience a simple surge of pride and respect for himself, his family, and his country—and he will naturally understand and undertake his duty to America.

## THE HUMAN RIGHTS SITUATION IN KOREA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 1, 1996

Mr. SMITH of New Jersey. Mr. Speaker, the Subcommittee on International Operations and Human Rights, which I chair, was briefed by Kim Sang-Chul, chairman of the Korea American Friendship Society. I am inserting his comprehensive statement in the RECORD for the information of my colleagues:

REMARKS BY KIM SANG-CHUL, CHAIRMAN,  
KOREA AMERICA FRIENDSHIP SOCIETY

Honorable Chairman, and members: I wish to thank you for inviting me here to speak on the human rights situation in Korea.

### I. INTRODUCTORY REMARKS

Korea has a checkered history. It has experienced numerous foreign invasions throughout its 5000-year history. However, it has managed to keep its independence and its people have made the country what it is today—a democratic, independent and eco-

nomically thriving country—through patience, perseverance, and hard work.

From ancient times, we have been called the white-clad people for our love of purity and justice, symbolized by Koreans' traditional white clothing. Korea is a small nation in terms of its territory. But it is not small in terms of its aspirations. We have achieved miraculous economic growth and established a democratic government through fair elections in a short period of time. We are optimistic about our future. We will probably be able to join the ranks of advanced countries in the first part of the next century, thereby allowing us to play a more important role in the international community for the promotion of world peace, freedom, justice and prosperity.

Our successful journey on the path toward economic prosperity and political freedom could not, by any means, be described as smooth. We endured hardship for 36 years under Japanese colonial rule. The nation was in chaos and the national economy was completely devastated as a result of the Korean War.

Thanks to the sacrifices of our allies, we were able to fend off communist aggression and achieve peace, however fragile it may be.

Thanks to the support of our allies and friends, we were able to overcome the devastation of the tragic war, rebuild the nation and its economy, achieve freedom and establish a democratic government.

The road leading to freedom and democracy in Korea has been bumpy. We were under the rule of military governments for almost 30 years from 1961 through 1992. There is no denying that many human rights violations occurred during this period.

### II. HUMAN RIGHTS IN THE REPUBLIC OF KOREA

On September 26, 1985, I met Mr. Kim Keun-Tae at the prosecutor's office. Mr. Kim was in custody for investigation of his alleged anti-government activities. He revealed that he was tortured with electric shocks and water-torture and showed me the wounds on the back of his foot. I was deeply distressed for three days after seeing his wounds. I decided to follow my conscience and submit an unprecedented application for a court order to preserve evidence of Mr. Kim's wounds.

The revelation of Mr. Kim's torture was a very strong challenge to the powerful Chun Doo-Whan government. As a result of my action, the judge had to provide Mr. Kim an opportunity to make a detailed statement about his suffering caused by the torture during the investigation.

Mr. Kim's 40-minute-long statement shocked the courtroom audience and the press, which somehow managed to report parts of Mr. Kim's testimony.

As a consequence, the telephones in my law office and my residence were tapped and government auditors began an investigation of my tax returns.

However, I prevailed in a lawsuit against the policemen who tortured Mr. Kim and in a suit demanding compensation for the damage he suffered.

On July 5, 1986, as one of the lawyers of a nine-member legal team, I filed a lawsuit against the police officers responsible for the sexual torture of Kwon In-Sook, a female college student.

I remember delivering to Ms. Kwon a secret letter from Cardinal Kim Su-Whan, in which he encouraged her in her time of distress and agony.

The exposure of the sexual torture incident created a backlash against police brutality and the immorality of the government. On Jan. 14, 1987, another case of torture by the police resulted in the death of a Seoul National University student. The death of Pak

Chong-Chol shocked citizens and the popular anti-government movement started to expand.

On April 13, 1987, President Chun refused to accept a direct presidential election to choose his successor. In May, as a member of the executive committee of the Citizens Movement for a Democratic Constitution, I participated in a peaceful march that drew the enthusiastic support of people across the nation.

The ruling party's presidential candidates, Roh Tae-Woo, had to issue his so-called July 29 declaration, accommodating the people's demand for a direct presidential election and other democratization measures.

In ten years, even the rivers and mountains will change, according to an old Korean saying. We are witnessing tremendous changes in my country these days. Two former presidents of Korea are in custody pending their trials on various criminal charges. On the other hand, Kim Keun-Tae is a vice president of the major opposition party and one of his old friends who attended his trial is now the spokesman for the ruling party.

How we evaluate the present political situation in the Republic of Korea, including the human rights situation and the national security situation, is by no means a simple issue. It is rather complicated. I will, however, pick out a few important issues and try to present an objective view of the current situation in Korea. I believe that there is a consensus that the human rights situation in the Republic of Korea has improved significantly.

There could be some isolated human rights violations which are not uncommon even in the most developed countries. At present I am really concerned about violent demonstrations, the irresponsibility of the press and citizen's lack of a sense of duty.

The National Security Law of the Republic of Korea has been the focus of the attention of the U.S. Government. I proposed the repeal of the National Security Law and suggested that the government include its relevant articles in the criminal code when I submitted my opinion on the revision of criminal law in Jan. 1985. I also proposed the replacement of the National Security Law with the Protection of Democratic Order Law when I was a national policy adviser to Kim Young-sam, the then presidential candidate of the opposition party.

However, I completely changed my mind after cautiously watching the advent of the so-called "Mass Revolution" movement since 1989. Korea is the only country in the world which is divided into two opposing ideological camps: the democratic and free Republic of Korea and the communist North Korea. North Korea has tried to overthrow the government of the Republic of Korea ever since its establishment. We should not forget that North Korea's military forces are heavily concentrated along the Demilitarized Zone, about 30 miles from Seoul. It will take only six minutes for North Korea's fighter planes to reach Seoul. These fighter planes were relocated closer to the DMZ last October.

A North Korean agent, Kim Tong-shick, was arrested after a gun fight when he was discovered by South Korean police last October. He was heavily armed. He confirmed that besides his most recent infiltration he was sent to the Republic of Korea five years ago, when he crossed the border to North Korea with a high-ranking North Korean female agent who operated in the south for 12 years since 1980, and newly recruited labor movement leaders in the South.

He made contacts with Ham Wun-Kyung, who led a violent demonstration and sit-in at the USIA in Seoul, and other student activists. Kim revealed his identity and discussed

cooperation with the activists for the "revolution" in the South. Just a few of them reported his identity to the authorities.

It is quite natural and necessary for a nation to equip itself with the legal devices to safeguard its national security in the face of a threat to its survival through espionage activities and the resultant chaos. Germany deals with such violations through its penal code but Korea handles anti-state activities with the National Security Law.

There have been some criticisms of the law's interpretation and applications. However, the repeal of the law will create a legal vacuum for the regulation of illegal activities short of sedition or attempted overthrow of the government. And the previous National Security Law violators should be pardoned.

Second, according to the labor laws of the Republic of Korea, the formation of a union is prohibited for public servants and school teachers and only one union is allowed in one work place. The freedom to organize a labor union, stipulated in the international Labor Organization provisions, could be in direct conflict with Korean labor laws.

A traditional labor union concept is based on the assumption that antagonism and conflict between labor and management are inevitable. In the case of public servants, the management is the people of the nation, and in the case of school teachers, the management is the people or nonprofit public organizations.

From Korea's traditional ethical point of view, their relationship should not be that of antagonism but that of service to the public cause. In particular, school teachers are not treated as labor in our society. They are respected for their service and their mission to teach our youths. The Korean labor laws containing the prohibition against unions for school teachers and public servants are overwhelmingly supported in Korea.

It is debatable whether allowing multiple unions is a basic factor for free unionism. In addition, multiple unions will further complicate things and cause more frequent labor disputes and antagonism, and therefore, it is construed to be not more than a demand by labor activists and failed to get wide support in Korea.

Essentially, freedom should be guaranteed by all means. The concept of fundamental social rights and their application varies according to a nation's culture, characteristics and its composition. What really matters is not the difference in the system itself but a nation's willingness to accept the fundamental principle of human rights. I dare say that the Republic of Korea is one of these countries.

Third, let us turn our attention to the anti-establishment activists in Korea. It is a fact that there were some followers of the socialist's line of armed revolution and North Korea's communist *juche* ideology hidden among those who proudly fought for freedom and democracy under the dictatorial military governments.

Distinguishing between these two groups of people was not an easy matter then. But, as Korea advances toward political maturity, it became easier to identify their true colors. The anti-establishment activists deny the legitimacy of the Korean government, ignore law and order, and use violence to achieve their objectives. They should not be treated as conscientious activists who work within the system.

Fourth, I wish to briefly mention the separated family issue as a human rights issue. As Dr. Albert Schweitzer once said, the freedom to visit or live in one's hometown is one of the fundamental human rights. This very human right is grossly violated in Korea because of North Korea's inhumane and un-

compromising stance toward the separated family issue. Ten million separated families do not know their relatives' whereabouts and there is no channel of communication between them whatsoever.

The Korean government has repeatedly proposed to North Korea measures to facilitate reunions of and communication between the separated families but to no avail. It is tragic not to have your own family with whom to share happiness and sorrow. My family is one of the separated families. My father was longing to hear something about his father and uncles. But he died last August without his wishes being fulfilled.

### III. HUMAN RIGHTS IN NORTH KOREA

Now I would like to take a look at the status of the human rights situation in North Korea.

The death of Kim Il-Sung did not change anything in North Korea. North Korea continues to be a closed society, isolated from the international community.

North Korea maintains the same dictatorial communist regime under the same "*juche*" ideology and the obsessive cult of personality. Politically, the North Korean people are living in an extensive gulag. Economically, they are plagued by low productivity, a shortage of food, a shortage of energy and foreign currency, and its economy has registered negative economic growth for quite some time. While having to tighten its closed-door policy to maintain the present political structure, its economic problems can not be solved without opening its doors, structural adjustment, and economic reform. In addition, the complete blockade of information and criticism is destroying any human rights initiatives in North Korea.

North Korea's military buildup has continued, which is incomprehensible to anyone of sound judgement. It has consistently carried out espionage activities to disrupt the Republic of Korea. In the latter part of this year, they dispatched two teams of armed agents to the South.

Their "Reunification Through Revolution" policy is a combined strategy of underground sabotage and a full-scale attack. Their war strategy is first to make an all-out blitzkrieg in the front and rear simultaneously and end the war before U.S. reinforcements arrive on the battlefield.

It is believed that North Korea's extensive stockpiling of weapons testifies to their willingness to go to war. There seems to be a consensus within North Korea that the liberation of South Korea should be the ultimate policy goal of the government and the only way to end its poverty and its hopeless economic reality.

Whenever I hear something about the status of human rights in North Korea, it sends a shiver down my spine.

I think it can be safely said that there are no human rights in North Korea. There is certainly no freedom of speech, no freedom of the press, no freedom of assembly, no freedom of religion. The people of North Korea can not select their own jobs, nor can they decide for themselves where to live.

"The Ten Fundamental Principles Concerning the Solid Establishment of *Juche* Ideology" proclaimed in 1974 is, in fact, above the constitutional law as well as the criminal codes in North Korea. Article 3, section 9 stipulates that the "Great Leader's" and the "Dear Leader's" instructions and the Labor Party's policies should be implemented without fail. No compromise is allowed.

Even minor violations will result in death or incarceration of the violators and his family in the gulag.

North Korea's obvious intention of manufacturing nuclear arms and its possession of

chemical weapons are a great threat to the national security of the Republic of Korea.

North Koreans live in fear and dire poverty, struggling to survive. They have lost the respect for the dignity of the human being, and are indoctrinated to hate outsiders, especially the so-called American imperialists and their puppets.

Let me give you some examples. Without permission, North Koreans are not allowed to change their residence or to travel. As a result, North Koreans who have visited Pyongyang, the capital city, constitute only 5% of the population. 45% of the North Korean territory, including military bases and seashores, is off limits to civilians. They can not write letters and can not freely talk on the phone even with their friends and relatives in North Korea. They have no free access to television, radio, or newspapers other than political propaganda.

There are more tragic stories. It has become known that there are 50,000 residents in a concentration camp called "Camp 15" located in Yuduck Kun, South Hamkyung province. People are thrown into the camp without a judicial trial. In the camp, there is believed to be a "completely restricted zone" from which no one can get out once they have been sent into it. This has been known to the outside world through the statements of Mr. Ahn Hyeok and Mr. Kang Chul-Whan who escaped from the camp in March 1992 and defected to South Korea through China. People in the camp are treated as "less than animals," suffer forced labor, live in dire poverty, and are exposed to various diseases. It has been reported that 200,000 people, or 1% of the total 20 million people of North Korea are confined in the inhumane detention camps throughout North Korea.

It has been reported that the North Korean government deported the handicapped and their families from the cities of Pyongyang, Nampo, Gaesong, Chungjin where foreigners frequent, to remote areas. It has also been reported that there has been a nationwide campaign to "dry out the seeds" of dwarfs, that is, prevent the births of babies with such birth defects.

There was the case of a North Korean who smuggled in a large quantity of heroin and was found to be a staff member of the Social Security Department of the government of North Korea. This happened near Vladivostok, Russia in June 1994. This shows the very nature of the collective leadership in North Korea.

At the time North Korea was receiving 150,000 tons of rice free-of-charge from South Korea, it captured the "Woosungyo", a South Korean fishing vessel, which was a drifting because of engine failure. The North Koreans killed 2 members of the crew and still refuse to return the other fishermen on board the ship. North Korea also refuses to return Reverend Ahn Seung Woon, who was kidnapped to the North. As of now the total number of people kidnapped by the North has reached 400.

There are 42,000 churches with 10 million Protestant Christians and 3 million Catholics in the South but in the North, only 2 Protestant churches and 1 Catholic church exist and these are for exhibition purposes.

What more would we need to explain? There are no human rights for North Koreans. They are treated as slaves, or no better than disposable resources.

The North Korean leaders are nothing but a collective group which uses violence as its main weapon. They rule through suppression, violence and punishment with little regard for human dignity.

As you all know there have been innumerable cases of human rights violations in North Korea and I have presented just a few. Any diplomatic relationship with North

Korea and any promise for economic aid would mean extending support to a violent and inhumane regime which has no respect for human rights. If we are to avoid the inadvertent support for a dictatorial regime, we should be alert. Improvement of the human rights situation in North Korea has to be a prerequisite to the normalization of diplomatic relations. Such improvements must include freedom of religion and communication among the separated families.

#### IV. CONCLUDING REMARKS

Ladies and gentlemen!

The North Korean leaders are manipulating the negotiation process to create a breach between South Korea and the United States. Cleverly taking advantage of Korean people's love for peace by threatening a "sea of fire", they are attempting to get what they want without any intention of improving relations between the two Koreas.

"The Korean peninsula is threatened by war" is not simply rhetoric but a reality. Especially if there is an unstable political situation in the Republic of Korea any sign of weakness in the Korea-U.S. security ties might encourage North Korea to launch a war.

Korea is a country with optimism and vision. Korea will overcome any adversities and suffering. Korea will not forget its debt to its friends and allies.

Our nation is greatly indebted to the United States in our march toward political freedom, economic development and peace on the Korean peninsula. The people of the United States fought the Korean War, shoulder to shoulder with us to deter communist aggression; they provided aid when we were

poor and hungry; they opened their market for Korean products.

The Korea-America Friendship Society was established in 1991 when anti-US sentiment was at its highest to remind Korean citizens of who are our enemies and who are our friends, and to help contribute to strengthening relations between the two countries.

The United States has made enormous contributions to the protection of freedom, the expansion of human rights, a free market, and open societies throughout the world. I believe these beautiful American traditions will be passed on to future generations.

Because I am well aware of the importance of this opportunity given to me, I have tried my best to make a presentation as objectively as I can.

I sincerely request you to be cautious observers of the real situation on the Korean peninsula, and offer your wise judgments on what the United States should do for peace, freedom justice and prosperity for the world as well as the Korean peninsula.

Thank you very much.

#### TRIBUTE TO HARDING N. BROWN

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 1, 1996*

Mr. TOWNS. Mr. Speaker, since arriving in New York City during the African-American Renaissance period of the 1930's, Harding N. Bowman, a native of Bowman, SC, has dedi-

cated his life to uplifting and empowering his community.

Most notably, in the 1950's, Mr. Bowman founded the Barbershop Owners Association while owning and operating three barber-shops. In 1961, after moving to east New York, he was instrumental in organizing numerous community-based initiatives. Some of his key roles, to name a few, arising from such initiatives include: president, Council for a Better East New York; chairman, Community Redemption Foundation; treasurer, Citywide Council Against Poverty; director, United Negro and Puerto Rican Front; chairman, East New York Manpower; chairman, East New York Non-Profit Housing; executive director, East New York Community Corporation; and chairman, Jerome Street Block Association. In addition, for over 30 years, he has been an active participant in various New York City political organizations that have produced electoral success. While participating in these activities, Mr. Bowman has managed to earn certificates and degrees from Goddard College, Pratt Institute, Staten Island Community College, and the New York Training Institute.

Married to Phyllis Bowman for 44 years, he is a father of seven, a grandfather, and a great-grandfather. At age 75 Harding Bowman continues to help the community by staying active and admonishing elected officials not to forget where they came from. I am pleased to recognize his outstanding contributions and to introduce him to my colleagues.